

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

TIMOTHY CARTHON,	:	
	:	Case No. 3:12-cv-93
Plaintiff,	:	
	:	District Judge Thomas M. Rose
vs.	:	Magistrate Judge Michael J. Newman
CENTRAL STATE UNIVERSITY, <i>et al.</i> ,	:	
Defendants.	:	

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court has reviewed the Report and Recommendation of United States Magistrate Judge Michael J. Newman (Doc. #44), to whom this case was referred pursuant to 28 U.S.C. § 636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** said Report and Recommendation in its entirety.

Accordingly, it is hereby **ORDERED** as follows:

1. Defendants' joint motion to dismiss for failure to prosecute, to compel discovery, and for a new scheduling order, filed on November 29, 2012 (Doc. #39) is **GRANTED IN PART AND DENIED IN PART**. Defendants' motion is **GRANTED** to the extent it seeks dismissal of this case, with prejudice; the remainder of the motion is **DENIED AS MOOT**;
2. Plaintiff's Complaint is **DISMISSED WITH PREJUDICE**; and
3. This case is **TERMINATED** on the docket of this Court.

January 28, 2013

s/Thomas M. Rose
United States District Judge